

1 AN ACT concerning fire protection.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Fire Protection District Act is amended
5 by changing Section 8.20 as follows:

6 (70 ILCS 705/8.20)

7 Sec. 8.20. Open burning.

8 (a) The board of trustees of any fire protection
9 district incorporated under this Act may, by ordinance,
10 require that the district be notified of open burning within
11 the district before it takes place, but shall not require
12 that a permit for open burning be obtained from the district.
13 The district may not enforce an ordinance adopted under this
14 Section (i) within the corporate limits of the City of
15 Chicago, (ii) within the boundaries of a farm that consists
16 of more than 50 acres, and (iii) within the corporate limits
17 of a forest preserve district if the burning is performed by
18 or under the direction of forest preserve district personnel
19 ~~within-the-corporate-limits-of-a-county-with-a-population--of~~
20 ~~3,000,000--or--more--or--a--municipality-with-a-population-of~~
21 ~~1,000,000-or-more.~~

22 (b) The fire department of a fire protection district
23 may extinguish any open burn that presents a clear, present,
24 and unreasonable danger to persons or adjacent property or
25 that presents an unreasonable risk because of wind, weather,
26 or the types of combustibles. The unreasonable risk may
27 include the height of flames, windblown embers, the creation
28 of hazardous fumes, or an unattended fire. Fire departments
29 may not unreasonably interfere with permitted and legal open
30 burning.

31 (c) The fire protection district may provide that

1 persons setting open burns on any agricultural land with an
2 area of 50 acres or more may voluntarily comply with the
3 provisions of an ordinance adopted under this Section.

4 (Source: P.A. 92-762, eff. 1-1-03.)